

# EXHIBIT D

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**From:** Lustberg, Lawrence S  
**Sent:** Monday, November 15, 2021 5:20 PM  
**To:** Rossmiller, Alexander (USANYS); Valen, Thomas R.  
**Cc:** Thomas, Andrew (USANYS); Podolsky, Matthew (USANYS)  
**Subject:** RE: Your call

Great – let me figure out the best time and will send around an invite to all of you. Thanks, Alex.

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**From:** Rossmiller, Alexander (USANYS) <[Alexander.Rossmiller@usdoj.gov](mailto:Alexander.Rossmiller@usdoj.gov)>  
**Sent:** Monday, November 15, 2021 5:17 PM  
**To:** Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)>; Valen, Thomas R. <[TValen@gibbonslaw.com](mailto:TValen@gibbonslaw.com)>  
**Cc:** Thomas, Andrew (USANYS) <[Andrew.Thomas2@usdoj.gov](mailto:Andrew.Thomas2@usdoj.gov)>; Podolsky, Matthew (USANYS) <[Matthew.Podolsky@usdoj.gov](mailto:Matthew.Podolsky@usdoj.gov)>  
**Subject:** RE: Your call

Larry,

Thanks for getting back to us so promptly, and 4:00 is fine for us, thanks – or if it's easier in terms of your expected commute to do a little later, say 4:30 / 5:00 / 5:30, that works too. If you want to send a call-in for whichever time in that range you prefer, we'll plan to talk then.

thanks again,  
Alex.

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**From:** Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)>  
**Sent:** Monday, November 15, 2021 17:14  
**To:** Rossmiller, Alexander (USANYS) <[ARossmiller@usa.doj.gov](mailto:ARossmiller@usa.doj.gov)>; Valen, Thomas R. <[TValen@gibbonslaw.com](mailto:TValen@gibbonslaw.com)>  
**Cc:** Thomas, Andrew (USANYS) <[AThomas@usa.doj.gov](mailto:AThomas@usa.doj.gov)>; Podolsky, Matthew (USANYS) <[MPodolsky@usa.doj.gov](mailto:MPodolsky@usa.doj.gov)>  
**Subject:** [EXTERNAL] RE: Your call

Sure, Alex – I have a Third Circuit oral argument in Wilmington Delaware starting at 1:00 that day, but I suspect that by 4:00, at the latest, I will be available (though I may be in my car or, more likely, on a train) – I have checked with Tom and he is available too. If that works for you, I can send around a call-in number. Let me know. Thanks.

Larry

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**From:** Rossmiller, Alexander (USANYS) <[Alexander.Rossmiller@usdoj.gov](mailto:Alexander.Rossmiller@usdoj.gov)>  
**Sent:** Monday, November 15, 2021 4:59 PM  
**To:** Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)>; Valen, Thomas R. <[TValen@gibbonslaw.com](mailto:TValen@gibbonslaw.com)>  
**Cc:** Thomas, Andrew (USANYS) <[Andrew.Thomas2@usdoj.gov](mailto:Andrew.Thomas2@usdoj.gov)>; Podolsky, Matthew (USANYS)  
<[Matthew.Podolsky@usdoj.gov](mailto:Matthew.Podolsky@usdoj.gov)>  
**Subject:** RE: Your call

Larry, Tom,

We were wondering if you would be available for a phone call this Wednesday afternoon, at 3:00 or later? We wanted to follow up on a couple aspects of our discussion a few weeks ago.

thanks,  
Alex.

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**From:** Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)>  
**Sent:** Friday, October 22, 2021 06:53  
**To:** Podolsky, Matthew (USANYS) <[MPodolsky@usa.doj.gov](mailto:MPodolsky@usa.doj.gov)>  
**Cc:** Valen, Thomas R. <[TValen@gibbonslaw.com](mailto:TValen@gibbonslaw.com)>; Thomas, Andrew (USANYS) <[AThomas@usa.doj.gov](mailto:AThomas@usa.doj.gov)>; Rossmiller, Alexander (USANYS) <[ARossmiller@usa.doj.gov](mailto:ARossmiller@usa.doj.gov)>  
**Subject:** RE: [EXTERNAL] RE: Your call

Please use this call-in for our 4:00 pm call today: 866-793-9719 – passcode 2655114#.

Talk to you then. Thanks.

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**From:** Podolsky, Matthew (USANYS) <[Matthew.Podolsky@usdoj.gov](mailto:Matthew.Podolsky@usdoj.gov)>  
**Sent:** Thursday, October 21, 2021 7:23 PM  
**To:** Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)>  
**Cc:** Valen, Thomas R. <[TValen@gibbonslaw.com](mailto:TValen@gibbonslaw.com)>; Thomas, Andrew (USANYS) <[Andrew.Thomas2@usdoj.gov](mailto:Andrew.Thomas2@usdoj.gov)>; Rossmiller, Alexander (USANYS) <[Alexander.Rossmiller@usdoj.gov](mailto:Alexander.Rossmiller@usdoj.gov)>  
**Subject:** Re: [EXTERNAL] RE: Your call

That would be great, thank you.

On Oct 21, 2021, at 7:15 PM, Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)> wrote:

Works for us – let me know if you want me to circulate a call-in Happy to do so.

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**From:** Podolsky, Matthew (USANYS) <[Matthew.Podolsky@usdoj.gov](mailto:Matthew.Podolsky@usdoj.gov)>  
**Sent:** Thursday, October 21, 2021 6:32 PM  
**To:** Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)>  
**Cc:** Valen, Thomas R. <[TValen@gibbonslaw.com](mailto:TValen@gibbonslaw.com)>; Thomas, Andrew (USANYS) <[Andrew.Thomas2@usdoj.gov](mailto:Andrew.Thomas2@usdoj.gov)>; Rossmiller, Alexander (USANYS) <[Alexander.Rossmiller@usdoj.gov](mailto:Alexander.Rossmiller@usdoj.gov)>  
**Subject:** Re: [EXTERNAL] RE: Your call

How about 4 pm?

Matt

On Oct 21, 2021, at 6:27 PM, Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)> wrote:

Thanks so much, Matt, for your prompt response. I can be available any time tomorrow afternoon, until another meeting at 5:30 pm – whatever works for you guys. Just let me know – I can send around a call-in (or a zoom invite) if that would be helpful.

Larry

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**From:** Podolsky, Matthew (USANYS) <[Matthew.Podolsky@usdoj.gov](mailto:Matthew.Podolsky@usdoj.gov)>  
**Sent:** Thursday, October 21, 2021 5:45 PM  
**To:** Lustberg, Lawrence S <[LLustberg@gibbonslaw.com](mailto:LLustberg@gibbonslaw.com)>; Valen, Thomas R. <[TValen@gibbonslaw.com](mailto:TValen@gibbonslaw.com)>  
**Cc:** Thomas, Andrew (USANYS) <[Andrew.Thomas2@usdoj.gov](mailto:Andrew.Thomas2@usdoj.gov)>; Rossmiller, Alexander (USANYS) <[Alexander.Rossmiller@usdoj.gov](mailto:Alexander.Rossmiller@usdoj.gov)>  
**Subject:** Your call

Larry and Tom,

I received your voicemail, thank you for reaching out. Would you like to set up a time to touch base tomorrow afternoon?

Many thanks,

Matt

Matthew Podolsky  
Assistant United States Attorney  
Southern District of New York  
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New York, NY 10007  
(212) 637-1947

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